

ADMINISTRATIVE DRAFT
REVIEW COMMENTS
RECEIVED
FROM AGENCY REPRESENTATIVES
2/09/98

(FROM USEPA, CDFA, DFG, WAPA, DWR, CAL EPA-SWRCB-CVRWQCB,
USDA-FS, FWS, USCOE, AND WOODWARD-CLYDE)

(Filename: SRTALL.wpd)

A #	#	Page Number	Line, Figure, or Table No.	Commentor	Comment	T	P
1	2	gen		BOR	Needs to see technical appendices- whole package - prior to filing of EIS/EIR (including but not limited to water quality, watershed management, modeling assumptions and results).		
682	3	gen	General Comment	WAPA	The appendices must contain significant scientific and analytical information from which the information in Chapters 6, 7, and 8 is summarized. Such supporting material needs to be referenced better in the main document. For example, the assessment method in Section 7.2.2 is primarily based on geographical comparisons of vegetation, yet the section contains no maps of vegetation and no references to where the information on the geographic comparisons can be found.		
681	4	gen	General Comment	WAPA	<p>The environmental consequences of the alternatives is not adequately covered because: 1) terminology is used inconsistently within sections and between sections, and 2) the tables summarizing environmental impacts in Chapters 6, 7, and 8 are not consistent with the remainder of the document. This PEIR/EIS should help the reader obtain information for making a decision about the proposed action. This PEIR/EIS is not successful because the information is inconsistent and confusing. Examples of problems with terminology are described below and in other comments, specifically 5, 12, 23, 24, and 26.</p> <p>The problems with the tables summarizing the environmental impacts are:</p> <p>a) The level of impact terminology is inconsistent with the respective text and Chapter 3. An example can be found on page 7-54, where the No Action Alternative is described in the text as "<i>similar</i>" to existing conditions, but in Table 3.1-1, they are described as different. Also, the description of Alternative 2 describes the configurations as "<i>greater impact</i>" on page 7-57, but in Table 3.1-1, the description of Alternative 2 is "<i>greater adverse impact</i>".</p> <p>b) The PEIR/EIS does not explain how the information related to the programs, features and actions are summed across regions and then assigned a symbol related to the level of significance. The methodology for assigning level of impact symbols is not included in the PEIR/EIS. Note too, that the "<i>greater adverse impact</i>" in Table 3.1-1 correlates to only two changes from "<i>not significant</i>" to "<i>significant and mitigable</i>" across all of the regions and configurations of Alternatives 1 and 2 in Table 7.2-1.</p>		

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18	14	1 - gen	appendices	J Turner, DWR	In order to get enough information for a comparative analysis, many reviewers will definitely need the technical appendices. The information in the document is very general and the appendices will hopefully clarify how the impacts were analyzed.	P	
19	15	1 - gen	general	Ed Craddock DWR	The document would be strengthened considerably by discussing water conservation in terms of the reduction in applied water and depletions (real water), where each condition exists in the CALFED study area, and where there may be associated environmental and third party effects.	P	
26	16	1 - gen	General	Linda Ackley, DWR	(from above) The potential local impacts may also have implications for the Environmental Justice discussion since, based on comments received in the Supplemental Water Purchase Program EIR process, there are issues of potential transfer of wealth and resources. The lack of detail may be viewed by some members of the public as an attempt to short-circuit their opportunity for meaningful comment prior to program implementation. Finally, the significance criteria in many cases are vague, not technically supported or seem to be defined in very low thresholds.	P	
11	17	1 - gen	General	K. Nelson, DWR	CALFED, CVPIA and SWRCB will all be selecting their own preferred alternatives. It isn't clear how the implementation of the preferred alternatives for each program will be coordinated so that redundancy and conflict is avoided. Perhaps some kind of program implementation oversight committee could be formed with staff from the various programs. There is a frightening amount of geographic overlap between these programs.	C	
21	18	1 - gen	General	K. Nelson, DWR	After reviewing the EIR, I still don't have a good visual image in my mind of the differences between alternatives...especially the subalternatives. Stated in another way, the EIR does not adequately blend incremental impacts and benefits to enable a comparative assessment between alternatives. Graphic depictions would help tremendously.	P	
20	19	1 - gen	General comment	DWR O&M	Maps of physical features of the different alternatives would be helpful.	P	

A #	#	Page Number	Line, Figure, or Table No.	Commentor	Comment	T	P
23	20	1 -gen	General Alternative analyses	Ted Sommer, DWR	<p>The Analyses for Alternatives 2D,2E and 3H May be Inadequate</p> <p>A basic assumption of the document is that creation of more aquatic and shallow-water habitat is a positive thing. Alternatives 2D, 2E and 3H include one or more of the following: construction of a Mokelumne River Floodway and aquatic habitat in the East Delta and Tyler Island. The text periodically indicates that are superior to other alternatives for aquatic species. I am not convinced that this will create the type of high quality aquatic habitat that CALFED is hoping for. This alternative will likely result in elevated water temperatures in the Delta, creating an unfair advantage to exotic species such as competitors (carp, silverside and threadfin shad) or predators (eg largemouth bass). There is also the possibility of massive hyacinth growth, which has dubious value for native aquatic species. Specific places in the text which require qualification are noted below.</p>	T	
25	21	1 -gen	General	Linda Ackley, DWR	<p>The Calfed document seems overall well written and comprehensive in scope, given that it is such an ambitious undertaking. Still, it seems plagued with some of the problems inherent in a programmatic document. The conjunctive use and water transfers discussions, in particular, lack specificity, while the primary emphasis seems to be on the environmental impacts of new infrastructure. This is expressed, for example, in statements to the effect that with increased capacity overall, there will be less reliance on groundwater.</p> <p>Since Calfed's approach to water transfers seems limited to an undefined "encouragement" role and the conjunctive use element is not revealed in any detail, the mitigation measures in this area are general and weak, and the mitigation obligations are left ambiguous.</p> <p>Given the speculative nature of the task, more detail may not be achievable or even desirable in these areas in a first-tier environmental document. Based on DWR's experience with the SWPP, however, representatives of "poor rural communities" in the source regions won't be satisfied with analysis (See p.8-43).</p> <p>on such broad geographic levels leading to programmatic level conclusions that, despite potential local impacts, the "net environmental equation" balances out.(See p.8-43).(continued)</p>	P	
10	22	1 - gen	General	K. Nelson, DWR	<p>The document is very long and structurally complex. It would be helpful if a small, graphical navigation figure could be developed and inserted at the beginning of each section of, at least, the impact analysis chapters. It could take the general form of Figure 5.3-1.</p>	p	

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17	23	1 - gen	General comment	DWR O&M	It is difficult to follow and understand alternatives through the impact analysis sections. Consider discussing each alternative and impacts in a separate chapter or have a pull-out insert that describes the alternatives for the reviewer to refer to when reviewing the report.	P	
12	24	1 - gen	General comments	Annelina Bronson, DWR	Although impacts to flood control are considered minimal in the document, DWR and the Board are very concerned with potential unmitigated reductions in the level of flood protection caused by vegetation in channels and on levees or erosion and subsidence of adjacent lands. When site specific projects are analyzed, any measures that would minimize such impacts should be evaluated for long-term effectiveness and ability to be implemented. Monitoring alone is not enough.	P	
15	25	1 - gen	General	K. Nelson, DWR	The geographic scope of the EIR is immense. The partitioning of the alternatives into evaluation elements, geographic region, core programs, etc. is complex and challenging. I, as the reader, have had trouble getting my arms around the "whole" picture, and separating the "good" from the "bad". I don't have a specific suggestion for improving this problem.	P	
22	27	1 - gen	terminology	Ted Sommer, DWR	Avoid the Use of the Term "Natural" Many places in the text refer to one configuration as being more "natural" than others. The concept of naturalness is open to considerable debate in the highly modified Bay-Delta system. I recommended "closer to historical" or "better" as substitutes depending on the context. Specific recommendations are noted below.	P	
14	28	1 - gen	Whole Report	Steve Hayes, DWR	I commend all staff who contributed to the massive effort in preparing the draft Programmatic EIS/EIR. It has been "mind numbing" to review. To make the entire document more readable, perhaps the issues common to all alternatives/configurations could be grouped and discussed together in one portion of the report. The issues that differ between each alternative/ configuration could then be discussed in another (separate) portion of the report. This approach would minimize the repetition inherent in the report as it is currently organized. (Just a suggestion).	P	
3	38	1 - gen		K. Kelly, DWR	Recommend technical appendices be referenced frequently in related text.	P	

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4	39	1- gen		K. Kelly, DWR	Recommend table of contents be contained in pocket as reference.	P	
5	40	1- gen		Sandino, DWR	General Comment: Although not required under CEQA to be included in the DEIR (it may be adopted at the time of the NOD), I recommend considering including the CEQA mitigation-monitoring plan in the DEIR so that the public will have opportunity to comment on it. We normally try to do this for DWR's CEQA documents.	P	
27	42	1- gen		Ted Somimer, DWR	The Document May Not be Readable for the Layperson I also question whether the EIR/S at present is readable by the general public. The text is highly distilled, perhaps overly so, requiring a thorough prior knowledge of the present system and life history of the major organisms. Despite years of experience reading EIRs and reports about the Bay-Delta, it took me an painfully long time to review each page.	P	
6	43	1- gen	Alternatives-general	Naser Bateni, DWR	<p>Surface water storage on the Sacramento River tributaries, specifically off-stream storage, is considered by Northern Californian's, water agencies, and local politicians as an essential element of the CALFED program. Some CALFED alternatives include no new storage North of the Delta storage element. Without storage components, the CALFED program may not get proper support (or the kind of support it deserves) in Northern California.</p> <p>North of the Delta storage discussions lack any specifics. I realize that this is a programmatic document and therefore, no site specific facilities are discussed. However, at a minimum, there should be a discussion of Proposition 204 Off-stream Studies currently underway by DWR in close coordination and cooperation with CALFED. Add the following statement to water storage and conveyance section (pages 2-12) to acknowledge the Proposition 204 North of the Delta Off-stream Storage Feasibility Studies:</p> <p>Proposition 204, approved by California voters in November 1996, requires the Department of Water Resources to investigate the feasibility of off-stream storage upstream of the Delta. DWR in cooperation and coordination with CALFED is, currently evaluating the Sites-Colusa, Thomes-Newville, and Red Bank Projects. Other off-stream storage sites may be considered for detail evaluations as 404(b1) alternative analyses move forward. The information gathered by DWR will be used by CALFED in the future to make decisions on any site specific storage facility North of the Delta.</p>	P	

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9	44	1- gen	Figures	Ted Sommer, DWR	The Report Should Include Figures of the Alternatives Figure 2.2.4-1 is a good tabular representation of the different alternatives. However, many readers (such as myself) are more visually oriented. I strongly recommend adding some figures of the Delta which highlight the major differences between the alternatives.	P	
8	45	1- gen	Many Sections	Sandino, DWR	General comment: After reading through part of the impacts analysis, I wonder if the DEIR would read better by having a chapter on Delta Conveyance Alternatives, ERP, WQP, etc, with impacts discussed of each component of the program, rather than dividing chapters by resource type (groundwater, etc), and discussing impacts of the components. Both methods are OK, but the SWRCB elected option 1 with its water right implementation EIR and I think that DEIR holds together better than this one, perhaps because this draft is still administrative.	P	
1113	1580	add anywhere		NY, EPA	Somewhere in the body of EIS should be a discussion (can be short) of land retirement/fallowing issues, and how CALFED program is dealing with it.	**	
1115	1581	add anywhere		NY, EPA	Somewhere in the body of EIS should be a discussion of whether CALFED will be looking at MC pricing for new water, whether CALFED will be looking at existing pricing/contract renewals and policy, and how pricing could affect impacts.	**	

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1502	1603	Gen.		J.Davis: Woodward- Clyde	<p>General - The terms "would" and "could" are used inconsistently throughout the EIR/EIS. In the Water Quality Technical Report (WQTR) we used the following convention; where we predict with a high degree of certainty that an impact will result from implementation of an alternative we use "would"; where we think an impact is possible but we are uncertain about it we use "could". I suggest the EIR/EIS use the same convention.</p> <p>Although a hierarchy of headings is adhered to in the water quality section there is little consistency in the individual write-ups from region to region. Topics crop up in one place but not in another where they are equally applicable. Also, determinations of significance are scattered around the report - sometimes they are made and sometimes they are not.</p> <p>There is considerable loss of accuracy in the transfer of information from the WQTR to the EIR/EIS. The analyses done in order to write the WQTR were extensive. It is unfortunate when some of the best work is not included in the PEIR/EIS (summary). It is not clear to me whether there has been a deliberate attempt to make the conclusions more vague or whether it just happened because the writers of the EIR/EIS section were less familiar with the analyses than the original analysts and writers.</p>		
1117	1604	general		ALL, EPA	The DEIS should clearly identify areas where it is expected that additional policy discussions and analysis could substantially alter the information currently presented.		
4	1605	general		Robin Reynolds, CDFA	An EIR is required to contain a summary, and to identify, in the summary: "Areas of controversy known to the Lead Agency including issues raised by agencies and the public..." (State CEQA Guidelines, Section 15123 (b)(2)). The ADEIR does not have a summary of any kind, nor does it anywhere acknowledge and identify any of the very significant controversy related to the CALFED program, in particular the CALFED approach to alternatives and the treatment of impacts of the proposed programs' impacts on the existing environment as raised by the CDFA and members of the public.		

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5	1606	general		Robin Reynolds, CDFA	An EIR is required to have: "A statement briefly describing the intended uses of the EIR." (State CEQA Guidelines, Section 15124). The ADEIR does not have this. This requirement is particularly important in the case of the CALFED programmatic EIR since in addition to the normal uses of an EIR this document will be used to approve huge commitments of funds from Proposition 204. Proposition 204 has specific language pertaining to the content and uses of the EIR. For example Proposition 204 ecosystem restoration funds cannot be expended for any project not included in the EIR. Paradoxically, the ADEIR (improperly, as noted in other comments by CDFA) does not include any of the projects related to ecosystem restoration, nor does it include the CALFED Ecosystem Restoration Program Plan itself, which was written prior to the ADEIR and apparently was approved by CALFED staff without CEQA compliance, contrary to State law.		
6	1607	general		Robin Reynolds, CDFA	"The EIR shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans." (State CEQA Guidelines, Section 15125 (b)) The only treatment of this important subject appears to be on the un-numbered insert entitled "8.2.2.5 Land Use Mitigation Strategies". Two points relate to this. The first is reasonable: "Implement features that are consistent with local and regional plans." The second is problematic: "Work with local and regional jurisdictions to amend local and regional plans and policies to bring Program features into compliance." At a minimum the ADEIR must be amend to include summaries of all the applicable plans in the areas which could be impacted by the CALFED program and discuss the inconsistencies with the whole of the CALFED program, including the "Common Programs." Given the magnitude of this task and the complexity of the data, maps will be essential. It is unfortunate that CALFED has not already accomplished this analysis mandated by CEQA, using the ample time and governmental resources spent thus far on CALFED program planning.		

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24	1608	general		Robin Reynolds, CDFA	From the language of SB 900 (Proposition 204) it is clear that the authors and voters anticipated that there may be "...adverse environmental conditions...caused by construction, operation, or implementation of...the ecosystem restoration element." (Chapter 7, 78684 (3) C). The law expressly provides that funds may be expended to "offset or avoid" these "adverse environmental conditions", but only if there is a determination in the final EIS/EIR. Therefor, beyond the requirements of CEQA (which are not met by the ADEIR) there must be a section in the document to determine the impacts of the ecosystem restoration element of CALFED program and, specific programs or projects to address these impacts (including but not necessarily limited to adverse environmental conditions related to agriculture), so that they may be funded and implemented as part of the CALFED program, as intended under the law.		
25	1609	general		Robin Reynolds, CDFA	SB 900 (Proposition 204) has the following requirement: "The CALFED Bay-Delta Program, to the extent that it relates to restoration of the bay/delta ecosystem, is of statewide and national importance. The state should participate in the funding of eligible projects as a part of its ongoing program to improve environmental conditions in the bay/delta ecosystem." (Chapter 7, 78684.2 (b)). This should form the basis for the funding of that element of the CALFED program, and requests for funding to the Legislature should be incorporated in the required (but absent) schedule for funding and implementing all elements of the comprehensive plan.		
26	1610	general		Robin Reynolds, CDFA	SB 900 (Proposition 204) has the following requirement: "The Programmatic EIR/EIS will include a schedule for funding and implementing all elements of the long-term comprehensive plan." (Chapter 7, 78684.2 c). The ADEIR fails to address this clear and simple requirement in any meaningful way.		
27	1611	general		Robin Reynolds, CDFA	SB 900 (Proposition 204) has the following requirement: "The CALFED Bay-Delta Program elements will achieve balanced solutions in all identified problem areas, including the ecosystem, water supply, water quality, and system integrity." (Chapter 7, 78684.2 (d)). The comments of the CDFA show that the program, as proposed in the ADEIR does not meet this requirement for balance. Very significant issues, controversies, and impacts to the environment are ignored, not balanced against what CALFED staff proposes and presents in the ADEIR. These failings are so fundamental that total revision of the program, as well as the ADEIR is required.		

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28	1612	general		Robin Reynolds, CDFA	There is no meaningful treatment of the "Environmental Setting" (State CEQA Guidelines, Section 15125). Agriculture is the dominate physical aspect of the environment of much of the land which CALFED proposes to impact. Nowhere in the document is this treated as an element of the existing environment. The document takes a unique approach of simply defining adverse impacts to the existing environment (those environmental resources related to agriculture) as "economic and social effects" and improperly attempts to sidestep it's obligation under CEQA to consider impacts on the physical environment as it exists prior to commencement of the program. ."Special emphasis should be placed on environmental resources that are rare and unique to that region and would be affected by the project." (State CEQA Guidelines, Section 15125 (a)) The high quality soils, climate, availability of irrigation water (especially pre-1914 and other riparian water rights), flexibility of cropping, and other factors such as infrastructure investments and availability of a skilled workforce make agriculture in California, a unique environmental resource.		
29	1613	general		Steve Shaffer, CDFA	Doesn't present a complete picture - existing environment not discussed in one place whole of the action with impacts needs to be summarized in one place Doesn't present agricultural resources issues well - no analysis of agriculture water impacts No discussion of programmatic mitigation (policy measures) Not well organized Difficult to evaluate without the appendicies		
39	1614	general		Steve Shaffer, CDFA	The potential impacts (and benefits) to agricultural resources is so significant and far-reaching that a discussion of these issues deserves its own chapter. Agricultural resources are physical environmental - land (including prime soils) and water, biological (crops, habitat value), as well as economic and social. If a separate chapter is not feasible, then agricultural impacts should be discussed in each of the appropriate chapters (6,7,8) and cross referenced.		
40	1615	general		Steve Shaffer, CDFA	There should be an early chapter that describes the existing environment, as well as the piece meal descriptions provided in each chapter. This chapter should paint the big picture of land use and water demands, trends, environmental concerns, etc.		
47	1616	general		Steve Shaffer, CDFA	There is no overall picture of agricultural land conversion, including maps and tables.		

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48	1617	general		Steve Shaffer, CDFA	There is no overall picture of agricultural water use, the significance of CVP and SWP supplies, amount of land irrigated by them, etc. The level of detail of the description should be on a par with the detail provided in the urban resources section, with similar quantification.		
55	1618	general		Steve Shaffer, CDFA	The social well being related to agriculture sections have no relevance to the discussion of agricultural resources or economic impacts. If it is to be discussed,, it should innclude agricultural economic activity, multiplier effects, impacts to agriculture dependent communities, etc.		
66	1619	general		Steve Shaffer, CDFA	The level of detail and quantification is significantly higher for the Urban Resources Section than for the Agricultural Resources Section.		
1132	1620	general	Ag and Urban	NY, EPA	Need to clarify (and perhaps ask for comment on) under both ag and urban approaches, what will DWR role be in certification? Some parts of the document refer to DWR "technical analysis" other portions imply more of a certification role. Need to get input on this from public.		
1295	1621	general comment	economic modeling	Madalene Ransom, NRCS	Estimating the economic effects of such a large project is very difficult even when ecological, social and economic relationships are well known. In the case of this effort there is a large measure of uncertainty about the relationship between human action and environmental response. On one hand, the scenarios (future without project as well as every alternative) could produce unintended harm, or the predicted ecological result. In order for decision makers to feel confident that public monies are well spent, there should be an accounting for the ecological, hence economic modeling-risk. The accounting should answer the following questions, thereby providing a range of values: What are the most likely benefits to stakeholders and the environment?; What is the range for these benefits (the minimum and maximum values)?; What is the most likely costs in terms of dollars and ecological consequences?; What is the range for these costs (minimum and maximum Values?		

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1296	1622	general comment	Future without project	Madalene Ransom, NRCS	Currently the future without project is defined to be the existing conditions adjusted for population growth (p.8-1). Current economic trends are projected to continue. Thus it seems that the future without project is seen to contain only one element which changes--population. Although no one can predict the future, the following possibilities should probably be addressed in the assumptions of the future without project. Each should be mentioned with a footnoted reference as to why the possibility is used or dismissed as an assumption: Possibility that international trade in agricultural goods will change US profitability and production profile? It is possible that the observed increasing international trade will have significant effects on American Agriculture in the next twenty years.; Possibility that groundwater law will change with the next 20 years, responding to increasing water demand and pressure on groundwater resources.		
38	1623	general	5-1	Steve Shaffer, CDFA	Chapter 5 is very confusing. The potential land conversion figures are buried in a section titled Program Assumptions in a chapter called Introduction to Environmental Analysis, and could be construed as examples of impacts, rather than potential impacts. These land conversion tables belong in chapter 8. There is no analysis of land conversion for the WQ program or the WUE program. A summary table of the range of total land area affected by the CALFED program should be produced.		
1111	1624	General		NY, EPA	Appendices 25 and 26 (Implementation Funding and Schedule; Implementation Strategy) should include common programs--for WUE, should include types of technical assistance, funding to be provided by each agency and staff needed, and time frame.		
1112	1625	General		CY, EPA	Treatment of the flows and delta export characteristics of the alternatives is, in many sections of the text, very vague. On the other hand, some sections (e.g., urban economics) obviously used outputs of model runs for analysis of water delivery impacts. DEIS should at least make clear what level of modeling analysis is currently available and what additional analysis will be provided for the final.	**	

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771	1627	General	1	Fujitani, USBOR	Suggest additional details describing the CVP and SWP operations in the Delta and basins and impacts that the alternatives may have in meeting the operating criteria. The alternatives may satisfy the intent some of the current standards (Delta WQ, flow, or in stream) in the future and a discussion should be made about impacts on the standards and necessity for reevaluating standards in the future. Also, the impact that each alternative has on the current standards may vary, but it is not clear if the same operating criteria and standards are used in all alternatives or if they vary from alternative to alternative. For example, is the chloride standard at Rock Slough needed in the future, is this WQ standard in place for all the alternatives? Joint point? Also, is it envisioned that implementation of any of the alternatives in the future would require new or revised standards to protect a resource or new Delta wetlands?		
1136	1628	GENERAL	"Introduction"	FWS	<p>General Comments: There seems to be a number of mistakes of fact, inference, and implication here, especially in the "Background" section. For example, is the San Joaquin River one of the two "largest" in California? It sounds like the PEIS locates the confluence in Elk Grove? Is it two-thirds or 60% who get drinking water from the delta (7% of the population of California is about 2 million people)? 1200 species (the text) or 12,000 (the box)?</p> <p>Information Presentation: The opening sections of this chapter seem to view the basic conflict as "good ag--especially fruits and vegetables--and possibly drinking water versus more pointless and evil regulation for the sake of regulation". An alternative would be to portray it as "defenseless fish and wildlife against greedy agribusiness and developers who just can't get enough". Neither approach is very useful in describing the basic issues to be addressed by CALFED.</p> <p>This document should be scrupulously fair and objective, and should strive to avoid the inflammatory language (e.g., "regulatory gridlock") that pops up occasionally throughout this chapter. Rather than focus on (and blame) "regulations and requirements", the PEIS should focus on the underlying needs that lead to these requirements--and to the conflicts to be addressed by CALFED. It's not that we now have more regulations; we now have more information about how, for example, water diversions affect fish, and society demands that these fish be protected. Diverting water is in conflict with the needs of these fish.</p> <p>As a whole, this section contributes to the impression that CALFED is "about water supply, new storage, conveyance, and the escape from the economic hardship recently imposed by regulation."</p>		

Key

1. Wording changes implemented.
2. Wording changes not implemented because of conflicts with other comments or current CALFED policies.
3. General statement, document changes implemented.
4. General statement considered, some changes made as part of other modifications.
5. General statement considered, but no specific changes made because of conflicts with program policies or time restrictions.
6. General comment noted for future consideration.

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